

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

MICHAEL L. PAOLETTA	:	
Plaintiff	:	
	:	CIVIL ACTION NO. 1:CV-05-553
v.	:	
	:	(Judge Kane)
SHERMAN ACQUISITION, L.P., et al.	:	
Defendants	:	

ORDER

Plaintiff initiated the above-captioned matter by filing a Complaint on March 18, 2005. (Doc. No. 1.) On April 12 and 13, 2005, Defendants filed motions to dismiss the Complaint, pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, for failure to state a claim upon which relief can be granted. (Docs. No. 4 and 8.) On May 31, 2005, Plaintiff filed an Amended Complaint. (Doc. No. 13.) Accordingly, **IT IS HEREBY ORDERED THAT** Defendants' motions to dismiss the original Complaint are **DENIED** as moot. (Docs. No. 4 and 8.)

S/ Yvette Kane
Yvette Kane
United States District Judge

Date: June 2, 2005